

The below described is **SIGNED**.

Dated: December 12, 2014

*William J. Thurman*

**WILLIAM T. THURMAN**  
U.S. Bankruptcy Judge



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
IN THE CENTRAL DIVISION**

In re:

**DALE E. CAPPS and  
TYNA M. CAPPS,**  
  
Debtors.

Bankruptcy Number 14-21632  
  
Chapter 7

**ORDER**

Pursuant to the request of Michael Thomson, the Chapter 7 Trustee (the "Trustee"), the Court entered an Order to Show Cause on October 17, 2014 as to why Dale E. Capps and Tyna M. Capps (the "Debtors") should not be sanctioned for failing to comply with this Court's Turnover Order entered on June 5, 2014. Prior to the hearing on the Order to Show Cause, the Debtors moved to convert their case to one under Chapter 13. The Court conducted a hearing on the Order to Show Cause on November 25, 2014, at which time representations were made that the Debtors had yet to comply with all requirements listed in the Turnover Order. Nathan Seim appeared on behalf of the Trustee, and Bryan Adamson appeared on behalf of the Debtors.

Based upon the representations made by the parties, the Court hereby **ORDERS** that:

1. The Debtors' Motion to Convert will be heard on December 18, 2014 at 9:30 AM in Courtroom 2B, United States Bankruptcy Court, 206 West Tabernacle, St. George, UT 84770.

2. The Debtors shall turn over to the Trustee copies of all signed documents relating to the Oregon property by December 3, 2014.

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End of Document\_\_\_\_\_

## SERVICE LIST

Service of the foregoing **ORDER** will be effected through the Bankruptcy Noticing Center to each party listed below and all parties on the matrix.

Dale E. and Tyna M. Capps  
1812 West Sunset Blvd., #1-431  
Saint George, UT 84770  
*Debtor(s)*

Bryan Adamson  
The Justice Firm Legal, L.L.C.  
132 West Tabernacle  
St. George, UT 84770  
*Attorney for Debtors*

Michael F. Thomson tr  
Dorsey & Whitney LLP  
136 South Main Street, Suite 1000  
Salt Lake City, UT 84101-1685  
*Chapter 7 Trustee*

Office of the United States Trustee  
Ken Garff Bldg.  
405 South Main Street, Ste. 300  
Salt Lake City, UT 84111  
*U.S. Trustee*

United States Bankruptcy Court  
District of Utah

In re:  
Dale E. Capps  
Tyna M. Capps  
Debtors

Case No. 14-21632-WTT  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 1088-2

User: kjn  
Form ID: pdfor1

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Dec 12, 2014

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 14, 2014.

db/jdb +Dale E. Capps, Tyna M. Capps, 1812 West Sunset Blvd., #1-431,  
Saint George, UT 84770-6565

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 14, 2014

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 12, 2014 at the address(es) listed below:

Bryan Adamson on behalf of Defendant Tyna M. Capps badamson@dixielegal.com,  
cbutton@dixielegal.com  
Bryan Adamson on behalf of Joint Debtor Tyna M. Capps badamson@dixielegal.com,  
cbutton@dixielegal.com  
Bryan Adamson on behalf of Debtor Dale E. Capps badamson@dixielegal.com,  
cbutton@dixielegal.com  
Bryan Adamson on behalf of Defendant Dale E. Capps badamson@dixielegal.com,  
cbutton@dixielegal.com  
Jeremy R. McCullough on behalf of Creditor Whitmore's Inc. jmcculloughlaw@gmail.com  
Kevin M. Bischoff on behalf of Creditor State of Oregon, DCS kevin@osnlaw.com,  
secretary@osnlaw.com  
Kevin M. Bischoff on behalf of Plaintiff Ellen F. Rosenblum kevin@osnlaw.com,  
secretary@osnlaw.com  
Kevin M. Bischoff on behalf of Plaintiff State of Oregon, DCS kevin@osnlaw.com,  
secretary@osnlaw.com  
Mary Margaret Hunt on behalf of Trustee Michael F. Thomson tr hunt.peggy@dorsey.com,  
long.candy@dorsey.com;koontz.jennifer@dorsey.com  
Michael F. Thomson on behalf of Trustee Michael F. Thomson tr thomson.michael@dorsey.com,  
montoya.michelle@dorsey.com;koontz.jennifer@dorsey.com  
Michael F. Thomson tr thomson.michael@dorsey.com,  
UT17@ecfcbis.com;montoya.michelle@dorsey.com;koontz.jennifer@dorsey.com  
Nathan Seim on behalf of Trustee Michael F. Thomson tr seim.nathan@dorsey.com,  
koontz.jennifer@dorsey.com  
United States Trustee USTPRegion19.SK.ECF@usdoj.gov

TOTAL: 13